MT LEGISLATIVE HISTORY

Chapter 134 1975

Bill H 241 S _____ Original bill & hist. ___C

H. Committee on Taxation		S. Committee on Taxation	
Hearing Date(s) _____	___C	Hearing Date(s) _____	___C
2/4	✓C	3/6	✓C
_____	___C	_____	___C
_____	___C	_____	___C
Date Out 2/8	✓C	3/6	✓C

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

#7 1975 house #7

TAXATION COMMITTEE

44th Legislature

Bill No.	Subject Matter	Date In	Sponsor	Hearing Date	Committee Action	Date Out
HB 203	Amend secs. 84-901 & 902 relating to statement to St. Dept. Revenue by officers of certain telegraph, telephone, elec. power & other lines, & by agent of dept. of revenue, etc.	1/23	Kemmis (Dept. of Rev.)	2/3	DO PASS	2/3/75
HB 241	Amend sec. 84-708.1 allow dept. of revenue to waive penalties for late filings & late paymts. when they are made within 5 days of due time.	1/23	Halvorson (Dept. of revenue request)	2/4	Heard 2/8 - DO PASS Unanimous	2/8/75
HB 244	Trucks used in mines as class 4 property; amending sec. 84-301.	1/23	Quilici, Lynch ++++	2/5	Heard 2/8 - DO PASS 8 to 4	2/8/75
SB 64	Correct statutory errors; amend secs. 67-2011 & 2015	1/23	Taxation Committee at Request of Dept. of Rev.	2/3	Fagg to study 67-2011 & 67-2015 DO PASS	3/6/75
HB 68	Amend sec. 437.2 changing definition of agricultural land use.	1/24	Hunnekens South	2/12	Subcommittee Halvorson, Aageson, Bengtson 2/14 2/22 - DO NOT PASS	2/22
HB 290	Expir. date of tax-paid decals on snowmobiles; allow 10 day grace period; proof of pur.; change assessment time. Amend sec. 53-1026 & 84-106	1/24	Huennekens Driscoll	2/5	Heard 2/8 - DO PASS Unanimous	2/8/75

House BILL NO. 241

INTRODUCED BY Halvorson

by request of Revenue Department

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 84-708.1, R.C.M. 1947, TO ALLOW THE DEPARTMENT OF REVENUE THE DISCRETION TO WAIVE THE ASSESSMENT OF PENALTIES FOR LATE FILING OF TAX STATEMENTS AND RETURNS AND THE LATE PAYMENT OF TAXES WHEN THE FILING AND PAYMENT ARE MADE WITHIN FIVE (5) DAYS OF THE TIME SPECIFIED FOR FILING AND PAYMENT."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 84-708.1, R.C.M. 1947, is amended to read as follows:

"84-708.1. Powers and duties of the state department of revenue. (1) To annually assess the franchise, roadway, roadbeds, rails, and rolling stock, and all other property of all railroads, and the pole lines and rights of way and all other property of all telegraph and telephone lines, electric power and transmission lines, ditches, canals, and flumes, and other similar property, constituting a single and continuous property operated in more than one (1) county in the state, and to apportion such assessments to the counties in which such properties are located on a mileage basis, or in the case of telegraph or telephone microwave electronic equipment, which has no physical connection with the total system, but is an integral part of such system, apportion the valuation for assessment of such company in this state among the several counties of this state in such proportion as will fairly represent the valuation for assessment within each such county, utilizing commonly recognized methods of apportioning as shall be just and equitable, provided, however, that lots and parcels of real estate not included in right of way, with the buildings, structures, and improvements thereon, dams and power houses, depots, stations, shops, and other buildings, erected upon right of way, furniture, machinery, and other personal property, shall not be considered as a part of any such single and continuous property, but shall be considered as separate and distinct therefrom, and shall be assessed by the agent of the department of revenue in the county wherein they are situate.

(2) To transmit to the county clerk of each county its apportionment of all assessments made by the department.

(3) To adjust and equalize the valuation of taxable property among the several counties, and the different classes of taxable property in any county and in the several counties and between individual taxpayers; supervise and review the acts of agents of the department; change, increase or decrease valuations made by its agents; and exercise such authority and do all things necessary to

secure a fair, just and equitable valuation of all taxable property among counties between the different classes of property and between individual taxpayers.

(4) To have and exercise general supervision over the administration of the assessment and tax laws of the state, and over its agents and any officers of municipal corporations, having any duties to perform under any of the laws of this state relating to taxation to the end that all assessments of property be made relatively just and equal at true value in substantial compliance with law, and to supervise the administration of all revenue laws of the state and assist in their enforcement. Further, the state department of revenue is empowered to organize, and it shall be its duty to schedule and hold area schools within the state for appraisers and assessors as often as is deemed necessary in the judgment of the department and the costs of such appraisers and assessors attending shall be borne by the state. Further, the department shall determine if there is a need for a taxing, assessing, and appraising school, and such school shall be held, when deemed necessary. The department shall notify all assessors and appraisers at least six (6) months before such school is scheduled and it shall be the duty of all assessors and appraisers to attend and the cost of their attendance shall be borne by the state.

(5) To confer with, advise and direct officers of municipal corporations as to their duties, with respect to taxation, under the statutes of the state.

(6) To direct proceedings, actions and prosecutions to be instituted to enforce the laws relating to the penalties, liabilities and punishment of public officials and persons, or their agents, for failure or neglect to comply with the provisions of the statutes governing the revenue of the state or municipal corporations; and to cause complaints to be made against assessors and other public officers to the proper district court for their removal from office for official misconduct or neglect of duty.

(7) To require county attorneys to assist in the commencement and prosecution of actions and proceedings for penalties, forfeitures, removals and punishment for violations of the laws of the state in respect to the assessment of property and other revenue laws, in their respective counties.

(8) To collect annually from the proper officers of the municipal corporations information as to the assessment of property, collection of taxes, receipts from licenses and other sources, the expenditure of public funds for all purposes, and such other information as may be needful and helpful in the work of the department in such form and upon such blanks as the department shall prescribe; and it shall

be the duty of all public officers so called upon to fill out properly and return promptly to the department all blanks so transmitted and in every way aid the department in its work; to examine the records of all municipal corporations for such purposes as are deemed needful or helpful by the department.

(9) In its discretion, to inspect and examine, or cause an inspection and examination of the records of the officers of any municipality, whenever such officer shall have failed, neglected or refused to return properly the information required by this section within the time set by the department. Upon completion of such inspection and examination the department shall transmit to the clerk, or other proper official of the municipality, a statement of the expenses incurred by the department to secure the necessary information. Within sixty (60) days after the receipt by the municipality of the above statement, the same shall be audited, as other claims of the municipal corporation are audited and shall be paid into the state treasury and if the same is not so paid the attorney general shall institute an action, in the proper court, against the municipality to recover the same.

The officers responsible for the furnishing of the information collected pursuant to this section, shall be jointly and severally liable for any loss the municipality

may suffer, through their delinquency; and no payment shall be made to them for salary, or on any other account, until the cost of such inspection and examination as provided above shall have been paid into the treasury, or to the proper officers of such municipality. They shall also be subject to such other fines and penalties as prescribed by law.

(10) To require persons, as defined above, to furnish information concerning their capital, funded or other debt, current assets and liabilities, cost and value of property, earnings, operating and other expenses, taxes and all other facts which may enable the department to ascertain the value of the relative burdens borne by all kinds of property and occupations in the state.

(11) To summon witnesses to appear and give evidence, and to produce records, books, papers and documents relating to any matter which the department shall have authority to investigate and determine.

(12) To cause the deposition of witnesses residing within or without the state, or absent therefrom, to be taken upon notice to the interested party, if any, in like manner that depositions are taken in actions pending in the district court, in any matter which the department shall have authority to investigate and determine.

(13) To examine into all cases where evasion or

violation of the laws for taxation of property, proceeds, occupation or business is alleged, complained of or discovered, and to ascertain wherein existing laws are ineffective or are improperly or negligently administered.

(14) To investigate the tax systems of other states and countries and to formulate and recommend legislation for the better administration of the fiscal laws so as to secure just and equal taxation and improvement in the system of taxation and the economical expenditure of public revenue in the state.

(15) To consult and confer with the governor of the state upon the subject of taxation, the administration of the laws relating thereto and the progress of the work of the department, and to furnish the governor such assistance as he may require.

(16) To transmit to the governor and to each member of the legislature twenty (20) days before the meeting of the legislature, a report of the department, showing all the taxable property of the state and the value of the same in tabulated form, with recommendations for improvements in the system of taxation, together with such measures as may be formulated for the consideration of the legislature; and to include therein a report showing the selling price of gasoline at the wholesale level in prime market centers of Montana and in surrounding states during the biennium, with

indexes tabulated at sufficient intervals to show the comparative state price structures.

(17) In its discretion, to waive the assessment of penalty for the late filing of any tax statement or return required to be filed with the department when the filing is done within five (5) days of the date specified for filing the return or statement, and for the late payment of any tax collected by the department when the payment is made within five (5) days of the date specified for payment of the tax."

-End-

TAXATION COMMITTEE

February 4, 1975

Chairman Dan Yardley called the meeting to order at 8:00 A.M., in Room #108, Capitol Building, Helena, Montana. Bills scheduled to be heard were House Bills 166, 221, 241. Rep. Thomas was excused.

HOUSE BILL 241

Rep. Ora J. Halvorson, District 16, sponsored HB 241 at the request of the Department of Revenue. She asked Mr. Bill Groff, Acting Director of the Department of Revenue, to explain the bill. The purpose of this bill is to allow five days from the due date of income tax statements and returns and late payment of taxes when filing and payment are made within five days of due date. This would make for good will by avoiding the severe penalties for a day or so late. This is a policy decision, but should be brought before the legislature. (Strictly a waiver of time, not interest). Making this a law makes it easier for director.

Mr. B. Keith Anderson, President, Montana Taxpayers Association, supports HB 241.

HOUSE BILL 166

Rep. Ora J. Halvorson, District 16, proposed this bill because the public is demanding that something be done about their inheritance taxes. This is a very difficult proposition, because when you begin to alter one thing, you disturb something else. People would like to have their inheritance tax exemptions reflect inflation. Inheritance tax laws are very difficult to understand.

Mr. Bjarne Johnson, attorney with Church, Harris, Johnson & Williams, Great Falls, Montana, explained inheritance laws regarding joint tenancy property. See his exhibit marked "Exhibit A." The purpose of HB 166 is to allow spouses to inherit half of an estate of husband and wife (whether or not held in joint tenancy) tax free, plus a $25,000 deduction. Joint tenancies held by other parties can be passed on to joint owners almost tax free. The loss of estate revenue by allowing all spouses equal deduction of one-half an estate would be made up by taxing other joint tenancies more. A joint tenancy to be effective, must be in full force for at least three years before death of an owner. Bill is to equalize tax on property held in other than joint tenancies. Mr. Johnson doesn't think the bill adequate as it is written. The question is whether or not you are interested in the idea of equalizing tax and catching property not being properly taxed, and giving spouses a little better tax break. (He spoke as a person, not an attorney. He has been practicing for over 30 years and has had much to do with inheritances.)

Mr. Tom Stoll, Chief of the Inheritance Tax Bureau, had made a study of one month's inheritance tax cases, and found that over $60,000 had been lost to spouses under the present law. Real tax increase offset could come from those relationships other than children or grandchildren or surviving spouses.

Stoll: Historically, Montana has always had a set exemption from $7,500 to $25,000 for widows; for husbands, $5,000 to $25,000 now. The exemption in direct proportion passes to the surviving spouse. One half is excluded - surviving spouse automatically receives one half of estate

NAME S. Keith Anderson Bill No. 241

ADDRESS Helena Date

WHOM DO YOU REPRESENT? Montana Taxpayers Assn.

SUPPORT ✓ OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

TAXATION COMMITTEE

February 8, 1975

Rep. Dan Yardley, Chairman, called the committee to executive session at 8:20 a.m., in Room #108, Capitol Building, Helena. Reps. Bengtson and Johnson were excused, and Rep. Thomas absent.

HOUSE BILL 241 - Rep. Halvorson moved that HB 241 DO PASS. Motion carried unanimously.

HOUSE BILL 244 - Rep. Dassinger moved that HB 244 DO PASS. Substitute motion by Rep. Fabrega of DO NOT PASS was made. Roll call vote showed the substitute motion failed by 4 yes and 8 no. Original motion carried by the same vote - 8 yes and 4 no for DO PASS.

HOUSE BILL 121 - Rep Edward Lien moved that HB 121 DO PASS AS AMENDED and the motion carried unanimously. The amendment was as follows: The introduced bill be amended on page 5, Section 6, line 19, strike "A::", and insert "Ten percent (10%) of all"; and further amended on page 5, Section 6, line 23, following "fund", insert ", and the remainder to the general fund of the county in which the airplane is based or predominantly located during the year"; and amended on pages 5 and 6, Section 6, beginning on line 23 following "fund.", strike all the following material on page 5 and through line 16, page 6.

HOUSE BILL 303 - Rep. Harrison Fagg moved that HB 303 DO PASS. Motion carried unanimously.

HOUSE BILL 290 - Rep. Edward Lien moved that HB 290 DO PASS. Motion carried unanimously.

HOUSE BILL 295 - be amended in the introduced bill as follows:

1. Amend page 5, Section 3, line 14.
   Following: "pickups,"
   Insert: "whose licensed gross vehicle weight is ten thousand (10,000) pounds or less,"
2. Amend page 5, Section 3, line 15.
   Following: "(2)"
   Strike: "1 to 2 ton trucks (manufacturers rated weight)"
   Insert: "Motor trucks and truck tractors whose licensed gross vehicle weight is over ten thousand (10,000) pounds and less than eighteen thousand (18,000) pounds"
3. Amend page 5, Section 3, line 17.
   Following: "(3)"
   Strike: "2 1/2 ton trucks (manufacturers rated weight)"
   Insert: "Motor trucks and truck tractors, whose

1915 Senate

44th LEGISLATIVE SESSION

COMMITTEE ON TAXATION

HOUSE BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CONCURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CONCURRED IN DATE
241	2/13	3/6	3/6					3/6	
244	2/13	3/13							
295	3/7	3/25	3/29						3/29
302	2/22	3/14 3/25	3/25				3/25		
303	2/13	3/14	3/14					3/14	
320	2/28	3/15	3/21					3/21	
324	2/22	3/14	3/25				3/25		
325	2/22	3/14	3/25						3/25
341	3/20	3/26	3/26					3/26	
374	3/11	3/26	4/3						4/3
392	3/7	3/13	3/28						3/28
435	3/4	3/13 3/17	3/21					3/21	
439	3/7	3/21	3/26					3/26	
447	2/19	3/12	3/12				3/12		
449 448	2/22 3/20	3/12 3/25	3/25 3/12	Back in 3/31		Out 4/2		3/25	3/25
488 506	3/20 3/11	3/25 3/22	3/25 3/29					3/25	3/29
545	2/22	3/15	3/21					3/21	

Separate Sheet for Senate House Bills and Resolutions

MINUTES OF THE MEETING
TAXATION COMMITTEE
MONTANA STATE SENATE

March 6, 1975

The thirty-fifth meeting of the Taxation Committee was called to order on the above date in Room 415 of the State Capitol Building by Chairman Watt at 8:13 a.m.

ROLL CALL: Roll call found all members present with the exception of Sen. Manning, excused, and Sen. Brown.

The following witnesses were present:

Howard O. Vralsted	Department of Revenue
Esther G. Bengtson	Rep., Dist. 59
Ora Halvorson	Rep., Dist. 16
Wm. Groff	Dept. of Rev.

CONSIDERATION OF HOUSE BILL 106: Mr. Vralsted of the Department presented this bill and said it granted an extension of time for filing income tax. At present the definitions do not allow them to extend the deadline and must deny such extension.

Chairman Watt asked for additional proponents and opponents, and there being none, permitted questions by the committee.

It should be mentioned that the three Representatives, Bengtson, Halvorson and Fabrega, appeared at the meeting to present their bills, but due to other committees they asked the Chairman if their bills, HB106, 213 and 241 could be presented by representatives of the Department of Revenue, at whose request the bills were drafted.

CONSIDERATION OF HOUSE BILL 213: Mr. Vralsted also introduced this bill and said it concerned reduction for late payment. The present cost is $10 penalty and could amount to $20 total penalty even though the tax might be $1 or $2. The bill creates bad feelings on the part of the taxpayer toward the Department, as well as extra collection costs.

The Chairman asked for other proponents or opponents and hearing none, asked for the next bill.

CONSIDERATION OF HOUSE BILL 241: Mr. Groff said this simply gives the Department the discretion to waive the 5-day limit for filing and payment. He also pointed out high collection costs when there is a valid reason for a taxpayer being late in his filing.

Chairman Watt then permitted questions from the committee on all three of the bills, there being no other proponents or opponents to any of the bills.

Several amendments were suggested and the committee

approved of the first, to HB106.

DISPOSITION: Sen. Turnage Moved to Adopt Amendments to HB106; this motion carried.
Sen. Turnage then MOVED HB106 AS AMENDED BE CONCURRED IN.

Sen. Turnage next MOVED HB213 BE CONCURRED IN; motion carried.

Discussion was then held on amendments to HB241, to include an effective date.
Sen. Turnage Moved to Adopt Amendments to HB241; motion was carried.
Sen. Turnage MOVED HB241 AS AMENDED BE CONCURRED IN; motion carried.
Note for the record absence of Sens. Manning and Brown.

There followed discussion on SB155, introduced by Sen. Towe. It was mentioned a similar bill was being introduced in the House and the similarities between the two was noted.
Sen. Towe spoke further for his bill and said it allows for splitting of the income of a married couple as it is in federal income taxes; also it incorporates the exemptions the federal law now allows. Also, if there were specific deductions the simplicity of the form might be an inducement for some to ignore computing the deductions, thus saving the state some money that would otherwise be refunded, especially for lower income brackets.
There followed discussion on the bill and Chairman Watt discussed the House bill that is similar, comparing the two.
Chairman Watt then asked for opinion of the committee on moving the bill out.

DISPOSITION: Sen. Towe read a number of amendments that he recommended to his bill; these were noted by the committee and following, he Moved to Adopt Amendments to SB155; this motion carried.
Sen. Healy then MOVED SB155 AS AMENDED, BE PASSED OUT OF COMMITTEE WITHOUT RECOMMENDATION. Following additional discussion, this motion carried.
It may be noted that one of the amendments specified that 'Before any new percentage is implemented it shall be submitted to a joint meeting of the house and senate taxation committees for approval.'

Following brief discussion on HB55, 113 and 114, already heard by the committee, meeting was adjourned.

Robert D. Watt
ROBERT D. WATT CHAIRMAN

ROLL CALL

TAXATION COMMITTEE

44th LEGISLATIVE SESSION - - 1975 Date 3/6

NAME	PRESENT	ABSENT	EXCUSED
SEN. HEALY	✓		
SEN. BROWN		✓	
SEN. MANNING			✓
SEN. MATHERS	✓		
SEN. NORMAN	✓		
SEN. TOWE	✓		
SEN. TURNAGE	✓		
CHAIRMAN WATT	✓		

March 6, 1975

SENATE COMMITTEE ON TAXATION

AMENDMENTS TO HOUSE BILL NO. 241

That House Bill No. 241, third reading, be amended as follows:

1. Amend title, line 9.
   Following: "PAYMENT"
   Insert: "; and providing an effective date"

2. Amend page 8, section 1, line 9.
   Following: line 9
   Insert: "Section 2. Effective date. This act is effective upon passage and approval."

STANDING COMMITTEE REPORT

March 6 19 75

MR. PRESIDENT

We, your committee on TAXATION

having had under consideration HOUSE Bill No. 241

Respectfully report as follows: That HOUSE Bill No. 241,

third reading be amended as follows:

1. Amend the title, line 9.
   Following: "PAYMENT"
   Insert: "; and providing an effective date"

2. Amend page 8, section 1, line 9.
   Following: line 9
   Insert: "Section 2. This act is effective upon passage and approval."

AND AS SO AMENDED, BE CONCURRED IN

~~DO PASS~~

K. D. WATT Chairman.

STATE PUB. CO.
Helena, Mont.

HOUSE BILL NO. 241

INTRODUCED BY HALVORSON

(REQUESTED BY THE DEPARTMENT OF REVENUE)

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 84-708.1, R.C.M. 1947, TO ALLOW THE DEPARTMENT OF REVENUE THE DISCRETION TO WAIVE THE ASSESSMENT OF PENALTIES FOR LATE FILING OF TAX STATEMENTS AND RETURNS AND THE LATE PAYMENT OF TAXES WHEN THE FILING AND PAYMENT ARE MADE WITHIN FIVE (5) DAYS OF THE TIME SPECIFIED FOR FILING AND PAYMENT; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 84-708.1, R.C.M. 1947, is amended to read as follows:

"84-708.1. Powers and duties of the state department of revenue. (1) To annually assess the franchise, roadway, roadbeds, rails, and rolling stock, and all other property of all railroads, and the pole lines and rights of way and all other property of all telegraph and telephone lines, electric power and transmission lines, ditches, canals, and flumes, and other similar property, constituting a single and continuous property operated in more than one (1) county in the state, and to apportion such assessments to the counties in which such properties are located on a mileage basis, or in the case of telegraph or telephone microwave electronic equipment, which has no physical connection with the total system, but is an integral part of such system, apportion the valuation for assessment of such company in this state among the several counties of this state in such proportion as will fairly represent the valuation for assessment within each such county, utilizing commonly recognized methods of apportioning as shall be just and equitable, provided, however, that lots and parcels of real estate not included in right of way, with the buildings, structures, and improvements thereon, dams and power houses, depots, stations, shops, and other buildings, erected upon right of way, furniture, machinery, and other personal property, shall not be considered as a part of any such single and continuous property, but shall be considered as separate and distinct therefrom, and shall be assessed by the agent of the department of revenue in the county wherein they are situate.

(2) To transmit to the county clerk of each county its apportionment of all assessments made by the department.

(3) To adjust and equalize the valuation of taxable property among the several counties, and the different classes of taxable property in any county and in the several counties and between individual taxpayers; supervise and review the acts of agents of the department; change,

REFERENCE BILL

increase or decrease valuations made by its agents; and exercise such authority and do all things necessary to secure a fair, just and equitable valuation of all taxable property among counties between the different classes of property and between individual taxpayers.

(4) To have and exercise general supervision over the administration of the assessment and tax laws of the state, and over its agents and any officers of municipal corporations, having any duties to perform under any of the laws of this state relating to taxation to the end that all assessments of property be made relatively just and equal at true value in substantial compliance with law, and to supervise the administration of all revenue laws of the state and assist in their enforcement. Further, the state department of revenue is empowered to organize, and it shall be its duty to schedule and hold area schools within the state for appraisers and assessors as often as is deemed necessary in the judgment of the department and the costs of such appraisers and assessors attending shall be borne by the state. Further, the department shall determine if there is a need for a taxing, assessing, and appraising school, and such school shall be held, when deemed necessary. The department shall notify all assessors and appraisers at least six (6) months before such school is scheduled and it shall be the duty of all assessors and appraisers to attend

and the cost of their attendance shall be borne by the state.

(5) To confer with, advise and direct officers of municipal corporations as to their duties, with respect to taxation, under the statutes of the state.

(6) To direct proceedings, actions and prosecutions to be instituted to enforce the laws relating to the penalties, liabilities and punishment of public officials and persons, or their agents, for failure or neglect to comply with the provisions of the statutes governing the revenue of the state or municipal corporations; and to cause complaints to be made against assessors and other public officers to the proper district court for their removal from office for official misconduct or neglect of duty.

(7) To require county attorneys to assist in the commencement and prosecution of actions and proceedings for penalties, forfeitures, removals and punishment for violations of the laws of the state in respect to the assessment of property and other revenue laws, in their respective counties.

(8) To collect annually from the proper officers of the municipal corporations information as to the assessment of property, collection of taxes, receipts from licenses and other sources, the expenditure of public funds for all purposes, and such other information as may be needful and

helpful in the work of the department in such form and upon such blanks as the department shall prescribe; and it shall be the duty of all public officers so called upon to fill out properly and return promptly to the department all blanks so transmitted and in every way aid the department in its work; to examine the records of all municipal corporations for such purposes as are deemed needful or helpful by the department.

(9) In its discretion, to inspect and examine, or cause an inspection and examination of the records of the officers of any municipality, whenever such officer shall have failed, neglected or refused to return properly the information required by this section within the time set by the department. Upon completion of such inspection and examination the department shall transmit to the clerk, or other proper official of the municipality, a statement of the expenses incurred by the department to secure the necessary information. Within sixty (60) days after the receipt by the municipality of the above statement, the same shall be audited, as other claims of the municipal corporation are audited and shall be paid into the state treasury and if the same is not so paid the attorney general shall institute an action, in the proper court, against the municipality to recover the same.

The officers responsible for the furnishing of the

information collected pursuant to this section, shall be jointly and severally liable for any loss the municipality may suffer, through their delinquency; and no payment shall be made to them for salary, or on any other account, until the cost of such inspection and examination as provided above shall have been paid into the treasury, or to the proper officers of such municipality. They shall also be subject to such other fines and penalties as prescribed by law.

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have authority to investigate and determine.

(13) To examine into all cases where evasion or violation of the laws for taxation of property, proceeds, occupation or business is alleged, complained of or discovered, and to ascertain wherein existing laws are ineffective or are improperly or negligently administered.

(14) To investigate the tax systems of other states and countries and to formulate and recommend legislation for the better administration of the fiscal laws so as to secure just and equal taxation and improvement in the system of taxation and the economical expenditure of public revenue in the state.

(15) To consult and confer with the governor of the state upon the subject of taxation, the administration of the laws relating thereto and the progress of the work of the department, and to furnish the governor such assistance as he may require.

(16) To transmit to the governor and to each member of the legislature twenty (20) days before the meeting of the legislature, a report of the department, showing all the taxable property of the state and the value of the same in tabulated form, with recommendations for improvements in the system of taxation, together with such measures as may be formulated for the consideration of the legislature; and to include therein a report showing the selling price of

gasoline at the wholesale level in prime market centers of Montana and in surrounding states during the biennium, with indexes tabulated at sufficient intervals to show the comparative state price structures.

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SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE UPON PASSAGE AND APPROVAL.

-End-